



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Before the Examiner:
Lukas Eisermann, et al.)	Unassigned
)	
Application Serial No.: 10/734,041)	Group Art Unit: 3738
)	
Filed: December 11, 2003)	Ref. No.: MSDI-222/PC765.00
)	
EXPANDABLE INTERVERTEBRAL)	November 4, 2005
IMPLANT)	

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop: Amendment

Dear Sir:

Pursuant to the duty of disclosure embodiment in 37 C.F.R. §1.56, applicant wishes to bring to the attention of the Examiner the following patents, publications and/or other information listed on the attached PTO Form SB/08A and/or SB/08B.

This information is not believed to have been previously submitted in this application, and has not heretofore been cited by the Examiner. Copies of the cited items have been enclosed for both the foreign references and publications where applicable. The filing of this Information

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November 4, 2005

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Brad A. Schepers

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Signature

Information Disclosure Statement
Application Serial No. 10/734,041
Inventors: Lukas Eisermann, et al.
Page 1 of 2

Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56.

This Statement is being submitted under 37 C.F.R. 1.97(b) before the occurrence of one or more of the following: (a) receipt of a First Office Action on the merits, (b) passage of three (3) months from the application filing date, or passage of three (3) months from the date entry of the national stage. Accordingly, no fee is believed to be due. However, should any fee be required, please charge such fee to Deposit Account No. 12-2424, but not to include issue fees.

Respectfully submitted,

By: 

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Substantive PTO

PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	2
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Complete if Known

Application Number	10/734,041
Filing Date	December 11, 2003
First Named Inventor	Lukas Eisermann
Art Unit	3738
Examiner Name	Unassigned
Attorney Docket Number	MSDI-222/PC765.00

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		DE 203 14 708 U1	11-20-2003	Aesculap AG & Co. KG		

Examiner Signature		Date Considered	
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		Application Number	10/734,041		
		Filing Date	December 11, 2003		
		First Named Inventor	Lukas Eisermann		
		Art Unit	3738		
		Examiner Name	Unassigned		
Sheet	2	of	2	Attorney Docket Number	MSDI-222/PC765.00

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Coda, http://www.spinalconcepts.com/products/code.html , June 8, 2005, Copyright 2004 Spinal Concepts, 1 page.	

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